

JAN 31 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALONZO ISRAEL VALENZUELA,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

No. 08-73333

Agency No. A036-172-069

ORDER*

On Petition for Review of an Order of the
Board of Immigration Appeals

Argued and Submitted February 11, 2011
Pasadena, California

Before: TASHIMA and FISHER, Circuit Judges, and WOLF, District Judge.**

The government's unopposed motion for remand is granted so that the Board of Immigration Appeals ("BIA") can reconsider its July 2, 2008, decision denying

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The Honorable Mark L. Wolf, Chief United States District Judge for the District of Massachusetts, sitting by designation.

petitioner's application for a waiver under former § 212(c) of the Immigration and Nationality Act, in light of *Judulang v. Holder*, 2011 WL 6141311 (U.S. Dec. 12, 2011). The memorandum disposition filed May 15, 2011, 421 F. App'x 745, is vacated. Petitioner's petition for panel rehearing and rehearing en banc is denied, as moot.

REMANDED to the BIA. No costs.